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EXAMINER
NGUYEN, KHAI MINH

ART UNIT	PAPER NUMBER
2617	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/748,981	JAAKKOLA ET AL.
	Examiner	**Art Unit**	
	KHAI M. NGUYEN	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>15 June 2009</u>.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-20</u> is/are pending in the application.
     4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) <u>1-6, 8-14, and 16-20</u> is/are rejected.
7) ☒ Claim(s) <u>7 and 15</u> is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
     a) ☐ All   b) ☐ Some * c) ☐ None of:
       1. ☐ Certified copies of the priority documents have been received.
       2. ☐ Certified copies of the priority documents have been received in Application No. _____.
       3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
     Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments with respect to claims 1-20 have been considered but are

moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-2, 5-6, 8-10, 13-14, and 16-20 are rejected under 35 U.S.C.102(e) as

being anticipated by Haverinen et al. (U.S.Pub-20030119481).

   Regarding claim 1, Haverinen teaches a method comprising:

   storing in a terminal connection settings and network identifiers (fig.2:item 201,

[0038] PLMN ID), wherein at least one network identifier of the stored network identifiers

is associated with at least some of the alternative connection settings (table 1, [0038]-

[0039] the PLMN list), the network identifier identifying a target network reachable by a

connection from the terminal (table 1, [0038]-[0039] PLMN identifiers PLMN ID are also

determined 201 in the USIM connected to the MS to be used in network selection),

comparing ([0006] comparison), in the terminal, the current network identifier

identifying a target network of a current connection of the terminal and associated with

the currently applied at least one connection setting to the stored network identifiers

(PLMN ID stored in memory) associated with at least one other available connection

settings ([0006] comparison of the received PLMN identifiers and PLMN identifiers

stored in the terminal equipment, and [0042]),

selecting at least one connection setting associated with the same network

identifier as the network identifier associated with the currently applied at least one

connection setting ([0006] and [0042] The mobile station performs 203 PLMN selection

on the basis of a comparison of the received PLMN identifiers PLMN ID and the PLMN

identifiers stored in the USIM).

carrying out a handover related function to continue providing access to the

target network (fig.2: item 204, [0043] set up a connection 204 between the MS and the

network element) via a new access point by using the selected at least one connection

setting ([0043] If the selected network PLMN cannot be used for some reason, the

network selection 203 can be carried out again as described above either automatically

or manually, and a connection 204 can be set up to another UMTS network PLMN).

Regarding claim 2, Haverinen teaches the method according to claim 1,

wherein the network identifiers of the other available connection setting are

checked in response to a need to arrange handover for the original connection based

on the currently applied at least one connection setting (see Haverinen, [0042]

comparison of the received PLMN IDs and PLMN IDs stored in the USIM, [0058]).

Regarding claim 5, Haverinen teaches the method according to claim 1, wherein

the network identifier associated with at least one connection setting selected by a

handover algorithm is checked (see Haverinen, [0042] comparison of the received

PLMN IDs and PLMN IDs stored in the USIM, [0058]), and

handover is carried out using the selected at least one connection setting if the

network identifier is the same as the network identifier associated with the currently

applied at least one connection setting (see Haverinen, [0006] and [0042] The mobile

station performs 203 PLMN selection on the basis of a comparison of the received

PLMN identifiers PLMN ID and the PLMN identifiers stored in the USIM), or

at least one new connection setting is selected (see Haverinen, [0043] If the

selected network PLMN cannot be used for some reason, the network selection 203 can

be carried out again as described above either automatically or manually, and a

connection 204 can be set up to another UMTS network PLMN).

Regarding claim 6, Haverinen teaches the method according to claim 1, wherein

at least one network identifier is defined internally in the terminal (see Haverinen, fig.2:

items 201 and 203) and associated with at least one connection setting (see Haverinen,

fig.2: items 201 and 203: performing network selection in MS).

Regarding claim 8, Haverinen teaches the method according to claim 1, wherein the at least one available connection setting is determined based on information received from the network (see Haverinen, [0006] and [0042]).

Regarding claim 9, Haverinen teaches a wireless terminal comprising means for establishing access with a wireless network, wherein

memory for storing in a terminal connection settings and network identifiers (fig.2:item 201, [0038] PLMN ID), wherein at least one network identifier of the stored network identifiers is associated with at least some of the alternative connection settings (table 1, [0038]-[0039] the PLMN list), the network identifier identifying a target network reachable by a connection from the terminal (table 1, [0038]-[0039] PLMN identifiers PLMN ID are also determined 201 in the USIM connected to the MS to be used in network selection),

a processor for comparing ([0006] comparison), in the terminal, the current network identifier identifying a target network of a current connection of the terminal and associated with the currently applied at least one connection setting to the stored network identifiers (PLMN ID stored in memory) associated with at least one other available connection settings ([0006] comparison of the received PLMN identifiers and PLMN identifiers stored in the terminal equipment, and [0042]) to select at least one connection setting associated with the same network identifier as the network identifier associated with the currently applied at least one connection setting ([0006] and [0042]

The mobile station performs 203 PLMN selection on the basis of a comparison of the

received PLMN identifiers PLMN ID and the PLMN identifiers stored in the USIM), and

carrying out a handover related function to continue providing access to the

target network (fig.2: item 204, [0043] set up a connection 204 between the MS and the

network element) via a new access point by using the selected at least one connection

setting ([0043] If the selected network PLMN cannot be used for some reason, the

network selection 203 can be carried out again as described above either automatically

or manually, and a connection 204 can be set up to another UMTS network PLMN).

Regarding claim 10 is rejected with the same reasons set forth in claim 2.

Regarding claim 13 is rejected with the same reasons set forth in claim 5.

Regarding claim 14 is rejected with the same reasons set forth in claim 6.

Regarding claim 16 is rejected with the same reasons set forth in claim 8.

Regarding claim 17, Haverinen teaches a computer-readable medium, wherein

said computer-readable medium comprises computer-executable instructions stored

thereon for controlling a wireless terminal to:

store connection settings and network identifiers (fig.2:item 201, [0038] PLMN

ID), wherein at least one network identifier of the stored network identifiers is associated

with at least some of the alternative connection settings (table 1, [0038]-[0039] the

PLMN list), the network identifier identifying a target network reachable by a connection

from the terminal (table 1, [0038]-[0039] PLMN identifiers PLMN ID are also determined

201 in the USIM connected to the MS to be used in network selection),

compare ([0006] comparison) current network identifier identifying a target

network of a current connection of the terminal and associated with the currently applied

at least one connection setting to the stored network identifiers (PLMN ID stored in

memory) associated with at least one other available connection settings ([0006]

comparison of the received PLMN identifiers and PLMN identifiers stored in the terminal

equipment, and [0042]),

select at least one connection setting associated with the same network identifier

as the network identifier associated with the currently applied at least one connection

setting ([0006] and [0042] The mobile station performs 203 PLMN selection on the basis

of a comparison of the received PLMN identifiers PLMN ID and the PLMN identifiers

stored in the USIM).

carrying out a handover related function to continue providing access to the

target network (fig.2: item 204, [0043] set up a connection 204 between the MS and the

network element) via a new access point by using the selected at least one connection

setting ([0043] If the selected network PLMN cannot be used for some reason, the

network selection 203 can be carried out again as described above either automatically

or manually, and a connection 204 can be set up to another UMTS network PLMN).

Regarding claim 18 is rejected with the same reasons set forth in claim 2.

Regarding claim 19, Haverinen teaches an apparatus comprising:

means for establishing access with a wireless network (fig.2:item 201, [0038]

PLMN ID),

means for storing in a terminal connection settings and network identifiers

(fig.2:item 201, [0038] PLMN ID), wherein at least one network identifier of the stored

network identifiers is associated with at least some of the alternative connection settings

(table 1, [0038]-[0039] the PLMN list), the network identifier identifying a target network

reachable by a connection from the terminal (table 1, [0038]-[0039] PLMN identifiers

PLMN ID are also determined 201 in the USIM connected to the MS to be used in

network selection),

means for comparing ([0006] comparison), in the terminal, the current network

identifier identifying a target network of a current connection of the terminal and

associated with the currently applied at least one connection setting to the stored

network identifiers (PLMN ID stored in memory) associated with at least one other

available connection settings ([0006] comparison of the received PLMN identifiers and

PLMN identifiers stored in the terminal equipment, and [0042]) to select at least one

connection setting associated with the same network identifier as the network identifier

associated with the currently applied at least one connection setting ([0006] and [0042]

The mobile station performs 203 PLMN selection on the basis of a comparison of the

received PLMN identifiers PLMN ID and the PLMN identifiers stored in the USIM)

carrying out a handover related function to continue providing access to the

target network (fig.2: item 204, [0043] set up a connection 204 between the MS and the

network element) via a new access point by using the selected at least one connection

setting ([0043] If the selected network PLMN cannot be used for some reason, the

network selection 203 can be carried out again as described above either automatically

or manually, and a connection 204 can be set up to another UMTS network PLMN).

Regarding claim 20 is rejected with the same reasons set forth in claim 2.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claims 3-4 and 11-12 are rejected under 35 U.S.C.103(a) as being unpatentable

over Haverinen et al. (U.S.Pub-20030119481), in view of Blatherwick et al. (U.S.Pat-

6269395).

Regarding claim 3, Haverinen teaches the method according to claim 2,

Haverinen fails to specifically disclose at least one available connection setting

associated with a different network identifier than the one associated with the at least

one currently applied connection setting is dropped, and a handover algorithm is

executed for the remaining connection settings.

However, Blatherwick teaches at least one available connection setting

associated with a different network identifier than the one associated with the at least

one currently applied connection setting is dropped (col.15, lines 41-57), and a

handover algorithm is executed for the remaining connection settings (col.6, lines 39-

54).

Therefore, it would have been obvious to one having ordinary in the art at the

time the invention was made to apply the teaching of Blatherwick to Haverinen to allow

the user to select services provided through different access points transparently and

quickly.

Regarding claim 4 is rejected with the same reasons set forth in claim 3.

Regarding claim 11 is rejected with the same reasons set forth in claim 3.

Regarding claim 12 is rejected with the same reasons set forth in claim 3.

Allowable Subject Matter

4.   Claims 7 and 15 are objected to as being dependent upon a rejected base claim,

but would be allowable if rewritten in independent form including all of the limitations of

the base claim and any intervening claims.

Conclusion

5.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to KHAI M. NGUYEN whose telephone number is

(571)272-7923. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Vincent P. Harper can be reached on 571.272.7605. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

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Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/VINCENT P. HARPER/
Supervisory Patent Examiner, Art Unit 2617

/Khai M Nguyen/
Examiner, Art Unit 2617   9/28/2009